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FACSIMILE TRANSMITTAL SHEET

DATE: December 9, 2008

TO: ISSUE FEE

COMPANY: U.S. PATENT AND TRADEMARK OFFICE

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FROM: Linda C. Gould (Cantor Colburn LLP)

OUR REF: GEM-0007

YOUR REF: USSN 10/063,840

TOTAL NUMBER OF PAGES SENT 5
(INCLUDING THIS COVER SHEET):

COMMENTS: TO WHOM IT MAY CONCERN:

Please find enclosed the Base Issue Fee and Publication Fee Transmittal Form for U.S. Serial No. 10/063,840. Also, find enclosed a "FEE ADDRESS" INDICATION FORM (1page) – and "COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE."

Please charge the Issue Fee and Publication Fee to Deposit Account 07-0845 (\$1,810).

Thank you,
CANTOR COLBURN LLP

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Appln. No. 10/063,840
Docket No. 121800/GEM-0007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.: 10/063,840 : Confirmation No.: 7974
Applicant: Kishore C. Acharya : Group Art Unit: 3737
Filed: May 17, 2002 : Examiner: Roy, Baisakhi
Docket No.: 121800/GEM-0007 :

For: METHOD AND SYSTEM FOR ASSOCIATING AN EKG WAVEFORM WITH A CT IMAGE

November 12, 2008

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

Provided herewith are comments on the Examiner's Statement of Reasons for Allowance presented in the Notice of Allowance dated September 19, 2008.

CERTIFICATE OF MAILING OR TRANSMISSION

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Name

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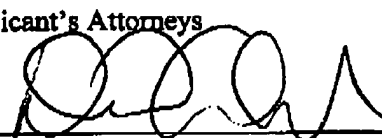
Appl. No.10/063,840
Docket No. 121800/GEM-0007

The Examiner remarks that Claims 1-30 are allowed for reasons set forth in Paper No. 20080826, page 2.

While Applicant agrees that presented claims pertain to allowable subject matter, Applicant respectfully submits that to the extent that the Examiner's remarks imply, suggest or state that certain limitations or combinations not found in the prior art of record relied upon are or may be present in each and every allowable claim, whether or not specific language to that effect is found in every allowable claim, the record as a whole must be considered in addition to the Examiner's remarks, and, to the extent that the record as a whole is clear and complete, it shall control the interpretation of any and all allowable claims.

More specifically, the Examiner's statement of reasons implies that features found in or implied from the specification only, the dependent claims only, or some but not all independent claims only, are part of all of the allowable claims, when in fact the record clearly reflects that there are claims not so limited. For example, allowed independent Claims 1, 13, 23, 24 and 25, do not specifically recite "a trigger pulse or a marker-in signal derived from a CT imaging system and communicated to an EKG monitoring device so as to overlay EKG waveform data and indicate the start of a CT scan on the EKG waveform data", as implied by the Examiner's remarks. Accordingly, these claims, and claims dependent from these claims that do not recite the same, are not so limited.

Respectfully submitted,
CANTOR COLBURN LLP
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